

### REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-75 are pending in the present application with Claims 1, 16, 31, 34, 39, 43-46 and 61 having been amended by the present amendment.

In the outstanding Office Action, the Abstract was objected to; Claims 34, 39 and 43-45 were objected to; Claims 16-30 and 61-75 were rejected under 35 U.S.C. § 112, second paragraph; Claims 1, 3, 6-8, 12, 16, 18, 21-23, 27, 31, 33, 36-38, 42, 46, 48, 51-53, 57, 61, 63, 66-68 and 72 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kanari et al. in view of Ooyumi; Claims 2, 17, 32, 47 and 62 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kanari et al. in view of Ooyumi and Hagi et al.; Claims 10, 11, 25, 26, 40, 41, 55, 56, 70 and 71 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kanari et al. in view of Ooyumi and Koh et al.; Claims 14, 29, 44, 59 and 74 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kanari et al. in view of Ooyumi and Okuda; Claims 4, 5, 9, 13, 15, 34, 35, 39, 43, 45, 49, 50, 54, 58 and 60 were indicated as allowable if rewritten in independent form; and Claims 19, 20, 24, 28, 30, 64, 65, 69, 73 and 75 were indicated as allowable if rewritten to overcome the rejection of these claims under 35 U.S.C. § 112, second paragraph, as set forth in the Office Action and to be in independent form.

Applicants thank the Examiner for the indication of allowable subject matter and for the courtesy of an interview extended to Applicants' representative on October 6, 2003. During the interview, the differences between the present invention and the applied art were discussed. No agreement was reached pending the Examiner's further review when a response is filed. Arguments presented during the interview are reiterated below.

Regarding the objection to the Abstract, the Abstract has been amended in light of the comments noted in the outstanding Office Action. Accordingly, it is respectfully requested this objection be withdrawn.

Further, Claims 34, 39 and 43-45 have been amended to change the phrase "said energizing step" to "said changing step" so that this phrase has the proper antecedent basis. Accordingly, it is respectfully requested this objection also be withdrawn.

Regarding the rejection of Claims 16-30 and 61-75 under 35 U.S.C. § 112, second paragraph, the endless belt means has been amended to recite that it is for transferring the recording sheet and the pressure roller means has been amended to recite that it is for applying pressure to the heating means. Accordingly, it is respectfully requested this rejection be withdrawn.

Claims 1, 3, 6-8, 12, 16, 18, 21-23, 27, 31, 33, 36-38, 42, 46, 48, 51-53, 57, 61, 63, 66-68 and 72 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Kanari et al. in view of Ooyumi. This rejection is respectfully traversed.

Claim 1 has been amended to recite that the heater controller control the heater to produce a different amount of heat for corresponding different sized toner images on the same recording sheet in accordance with at least one of a size and a thickness of the different sized toner images on the same recording sheet. Independent Claims 16, 31, 46 and 61 have been similarly amended.

As shown as a non-limiting example in Figure 6, the same recording sheet P has different sized toner images formed thereon. Further, the heater controller control the heater to produce a different amount of heat for corresponding different sized toner images on the same recording sheet in accordance with at least one of a size and a thickness of the different sized toner images on the same recording sheet as shown by the signal  $A_{int}$  in Figure 6.

The outstanding Office Action relies on Ooyumi as disclosing the claimed heater controller. However, as discussed during the interview, Ooyumi estimates a value of toner images on a recording sheet and then controls the temperature speed of the fixing device based on the toner quantity. However, once the value is determined for a single sheet, that same value is used for the sheet and is not changed for different sized images on the same recording sheet. Rather, a single value is estimated for the toner images on the sheet and then that single value is used for the entire sheet.

Accordingly, it is respectfully submitted independent Claims 1, 16, 31, 46 and 61 and each of the claims dependent therefrom are allowable.

Further, regarding the additional rejections noted in the outstanding Office Action, it is respectfully submitted these rejections have been overcome as they are directed to the dependent claim and the additional references cited therein do not teach or suggest the claimed heater controller.

Consequently in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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